

**A CERTIFIED TRUE COPY**

SEP 14 2006

ATTEST  
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATIONFILED  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF LA  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION  
AUG 29 2006

DOCKET NO. 1637 2006 SEP 15 AM 11:08

FILED  
CLERK'S OFFICE

LORETTA G. WHYTE

JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS  
LIABILITY LITIGATION****(SEE ATTACHED SCHEDULE)****CONDITIONAL TRANSFER ORDER (CTO-63)**

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 360 F.Supp.2d 1352 (J.P.M.L. 2005). Since that time, 4,267 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

*Jeffery N. Lüthi*  
Jeffery N. Lüthi  
Clerk of the Panel

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

SEP 14 2006

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATIONCLERK'S OFFICE  
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SEP 19 2006

Deputy Clerk, U.S. District Court  
Eastern District of Louisiana  
New Orleans, LA

Fee \_\_\_\_\_  
Process \_\_\_\_\_  
X Oktd \_\_\_\_\_  
CtRmDep \_\_\_\_\_  
Doc. No. 4153

**SCHEDULE CTO-63 - TAG-ALONG ACTIONS**  
**DOCKET NO. 1657**  
**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY**  
**LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA</u> <u>SEC. L/3</u>
ALABAMA MIDDLE ALM 2 06-678	William Hazel v. Merck & Co., Inc.	06-6007
ARKANSAS WESTERN ARW 5 06-5149	Owen Wallace, et al. v. Merck & Co., Inc.	06-6008
CALIFORNIA EASTERN CAE 2 06-774	Salvador Monroy v. Merck & Co., Inc.	06-6009
CALIFORNIA NORTHERN <del>CAN 4 06-4794</del>	<del>Patrick E. Murphy v. Merck &amp; Co., Inc., et al.</del> Opposed 9/13/06	
FLORIDA NORTHERN FLN 1 06-131	Stanley Anderson v. Merck & Co., Inc., et al.	06-6010
GEORGIA NORTHERN GAN 1 06-1750 GAN 1 06-1755	Millard Yancey v. Merck & Co., Inc. Howard E. Taylor v. Merck & Co. Inc.	06-6011 06-6012
ILLINOIS NORTHERN ILN 1 06-4089	Shirley Horwitz, et al. v. Merck & Co., Inc., et al.	06-6013
KANSAS KS 2 06-2332	Sue Shipman v. Merck & Co., Inc.	06-6014
MINNESOTA MN 0 06-3274 MN 0 06-3275 MN 0 06-3285	Marilyn D. Behrendt v. Merck & Co., Inc. Marcheta E. Van de Streek v. Merck & Co., Inc. Virginia Ballard, et al. v. Merck & Co., Inc.	06-6015 06-6016 06-6017
MISSOURI EASTERN <del>MOE 4 06-1185</del> <del>MOE 4 06-1186</del> <del>MOE 4 06-1187</del> <del>MOE 4 06-1196</del>	<del>Vivian Copher, et al. v. Merck &amp; Co., Inc., et al.</del> Opposed 9/13/06 <del>Inez Kineaid, et al. v. Merck &amp; Co., Inc., et al.</del> Opposed 9/13/06 <del>Richard Helton, et al. v. Merck &amp; Co., Inc., et al.</del> Opposed 9/13/06 <del>Minnie Smith, et al. v. Merck &amp; Co., Inc., et al.</del> Opposed 9/13/06	
MISSISSIPPI SOUTHERN MSS 3 06-420	Ann B. Stringfellow, etc. v. Merck & Co., Inc.	06-6018
NEBRASKA NE 4 06-3183 NE 4 06-3185 NE 4 06-3187 NE 4 06-3189	Stanley L. Applegate, et al. v. Merck & Co., Inc. William E. Lindsey, Sr., et al. v. Merck & Co., Inc. Jerry R. Crofford v. Merck & Co., Inc. Duane E. Noragon, et al. v. Merck & Co., Inc.	06-6019 06-6020 06-6021 06-6022
NEW JERSEY NJ 3 06-3685	Brenda Carter v. Merck & Co., Inc.	06-6023
NEW YORK EASTERN NYE 1 06-3811	Jairo Salazar v. Merck & Co., Inc.	06-6024

## SCHEDULE CTO-63 - TAG-ALONG ACTIONS (MDL-1657)

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	EDLA SEC. L/3
NEW YORK SOUTHERN NYS 1 06-5897	Veronica Francis, etc. v. Merck & Co., Inc.	06-6025
NEW YORK WESTERN NYW 6 06-6408 NYW 6 06-6409	Rosemary A. Ruisi v. Merck & Co., Inc., et al. Doris K. Roworth v. Merck & Co., Inc., et al.	06-6026 06-6027
OHIO NORTHERN OHN 1 06-1927	Barbara Thornhill, etc. v. Merck & Co., Inc.	06-6028
OKLAHOMA EASTERN OKE 6 06-293	Irene Merritt v. Merck & Co., Inc.	06-6029
OKLAHOMA NORTHERN OKN 4 06-392	Stephen N. Lynch, etc. v. Merck & Co., Inc.	06-6030
OKLAHOMA WESTERN OKW 5 06-804	Richard Smith, et al. v. Merck & Co., Inc.	06-6031
PENNSYLVANIA EASTERN PAE 2 06-3307	Marilyn Canavan, et al. v. Merck & Co., Inc., et al.	06-6032
TEXAS EASTERN TXE 2 06-321 TXE 2 06-322	Alfonso Carmona, et al. v. Merck & Co., Inc., et al. Janie G. Pesina, et al. v. Merck & Co., Inc., et al.	06-6033 06-6034
TEXAS NORTHERN TXN 4 06-514	Marvin Garrett, et al. v. Merck & Co., Inc.	06-6035
TEXAS SOUTHERN TXS 4 06-2630	Deborah Lynn Davis, et al. v. Merck & Co., Inc.	06-6036
TEXAS WESTERN TXW 5 06-642	Lura Wurzbach v. Merck & Co., Inc.	06-6037
UTAH UT 2 06-614	Garold Young, etc. v. Merck & Co., Inc.	06-6038